

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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S.M., A MINOR, by her next friend,  
ALISON KING,

Plaintiff,

- against -

THE CITY OF NEW YORK and GOOD  
SHEPHERD SERVICES,

Defendants.  
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**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 6/18/2024

20-CV-5164 (JPO) (RWL)

**ORDER FOR NON-PARTY  
CARLA PETTY TO  
APPEAR FOR DEPOSITION**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

**FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN BEING HELD IN  
CONTEMPT OF COURT AND SANCTIONS FOR SAME.**

WHEREAS on May 20, 2024, Plaintiff filed a motion to enforce a deposition subpoena served on Carla Petty (the "Subpoena"), and

WHEREAS Plaintiff has demonstrated multiple attempts to obtain Petty's compliance with the Subpoena; and

WHEREAS Petty did not appear for the deposition as scheduled; and

WHEREAS on June 4, 2024, the Court issued an order to show cause to Carla Petty to show cause at a hearing scheduled for June 13, 2024, why she should not be required to comply with the Subpoena and appear for deposition; and

WHEREAS Petty did not appear for the show cause hearing; and

WHEREAS, pursuant to direction by the Court, Plaintiff renewed attempts to establish communication with Petty by phone and by email; and

WHEREAS Petty did not respond to any of those communications.

**IT IS HEREBY ORDERED** that Carla Petty, either on her own accord or through counsel, **by June 30, 2024**, shall (1) contact by phone Plaintiff's counsel, Jenny Lee of Kirkland & Ellis at 212-390-4623, to discuss scheduling Petty's deposition; (2) cooperate with Plaintiff's counsel in scheduling Petty's deposition, and (3) appear for deposition as scheduled.

**FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN BEING HELD IN CONTEMPT OF COURT AND SANCTIONS FOR SAME.**

By June 20, 2024, Plaintiff shall serve a copy of this order on Petty by email, U.S. mail, and overnight mail; and, by June 21, 2024, Plaintiff shall file proof of service.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: June 18, 2024  
New York, New York

Copies transmitted this date to all counsel of record.